



## *Planning & Community Development*

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# **ADMINISTRATIVE ORDER #301950 042114**

## **SITE – SPECIFIC DETERMINATION**

### **CODE SECTION: 20.50.020, 20.50.040**

**ISSUE:** Applicant seeks a Director's determination of front yard designation and aggregate setbacks on a corner lot that has a "no-build" covenant. The lot is at the corner of 25<sup>th</sup> Ave NE, a public road, and NE 182<sup>nd</sup> Ct, a private drive. Normally this would be considered a corner lot as it is fronting on two streets (technically a private street serving multiple parcels is included under the definition of a street). Street setbacks are normally 20 feet, with a reduction to 15 feet on the front with no driveway access.

#### **FINDINGS:**

**Site:** The address is 2451 NE 182<sup>nd</sup> Ct. It is "L" shaped, with the wide portion fronting on 25<sup>th</sup> Ave NE, and the narrower "stem" portion running down NE 182<sup>nd</sup> Ct. See attached diagram.

**Rights-of-way:** 25<sup>th</sup> Ave NE is a public street, designated as a "Local Primary Street." NE 182<sup>nd</sup> Ct. is a private street that serves five homes.

**"No-Build" Covenant:** The applicant has submitted a copy of the recorded covenant that restricts building of a single-family home on the portion of the lot where the narrow "stem" begins.

**Proposed Building:** The proposal is for a rectangular 34-foot by 50-foot single-family home with a 20 foot setback from 25<sup>th</sup> Ave NE, a five-foot setback to the neighboring property and a five-foot setback from NE 182<sup>nd</sup> Ct. A driveway access from NE 182<sup>nd</sup> Ct would access a garage at the back of the building.

#### **Shoreline Municipal Code (SMC)**

##### 20.50.010 Purpose.

*The purpose of this subchapter is to establish basic dimensional standards for development at a range of densities consistent with public health and safety and the adopted Comprehensive Plan.*

*The basic standards for development shall be implemented in conjunction with all applicable Code provisions.*

##### 20.50.060 Purpose.

*The purpose of this subchapter is to establish design standards for single-family detached residential development as follows:*

A. To ensure that the physical characteristics of new houses through infill development are compatible with the character and scale of surrounding area, and provide adequate light, air, privacy, and open space for each house.

B. To establish a well-defined single-family residential streetscape by setting back houses for a depth that allows for landscaped front yard.

C. To reduce the visual impact of garages from the street views.

20.50.040 Setbacks – Designation and measurement.

A. The front yard setback is a required distance between the front property line to a building line (line parallel to the front line), measured across the full width of the lot.

Front yard setback on irregular lots or on interior lots fronting on a dead-end private access road shall be designated by the Director.

F. Allowance for Optional Aggregate Setback. For lots with unusual geometry, flag lots with undesignated setbacks, or site conditions, such as steep slopes, an existing cluster of significant trees, or other unique natural or historic features that should be preserved without disturbance, the City may reduce the individual required setbacks, however, the total of setbacks shall be no less than the sum of the minimum front yard, rear yard, and side yards setbacks. In order to exercise this option, the City must determine that a public benefit is gained by relaxing any setback standard. The following criteria shall apply:

1. No rear or side yard setback shall be less than five feet.


CONCLUSIONS

The typical provisions for development, coupled with the “no build” covenant, would force a garage to face either the public street or the private access street. The proposed design uses the unusual lot configuration to improve the design so that the garage does not face either street. It allows for a full 20 feet of landscaped front yard facing 25<sup>th</sup> Ave NE. There will be a five-foot building setback for the 34-foot width of the building along the private access road, but there will also be 85 feet of open area in the rear yard (including the driveway).

DECISION:

The yard facing 25<sup>th</sup> Ave NE shall be designated the front yard. The yard facing the private access road shall be a side yard.

Aggregate setbacks may be used.

  
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Director's Signature

4/2/14  
\_\_\_\_\_  
Date

